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Message Text

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ACTION EUR-10

INFO OCT-01 SS-14 ISO-00 NSC-07 NSCE-00 OMB-01 CIAE-00

INR-10 NSAE-00 RSC-01 PRS-01 DRC-01 L-02 ARA-10 AF-04

OPR-01 SY-02 PM-03 DODE-00 SP-01 /069 W
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R 151757Z MAY 74
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 9154
INFO AMCONSUL BORDEAUX
AMCONSUL LYON
AMCONSUL MARSEILLE
AMCONSUL MAFVVZCZADP000
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ACTION EUR-10

INFO OCT-01 SS-14 ISO-00 NSC-07 OMB-01 NSCE-00 CIAE-00

INR-10 NSAE-00 RSC-01 PRS-01 DRC-01 L-02 ARA-10 AF-04

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TO SECSTATE WASHDC 9155
INFO AMCONSUL BORDEAUX
AMCONSUL LYON
AMCONSUL MARSEILLE
AMCONSUL NICE
AMCONSUL MARTINIQUE
AMCONSUL STRASBOURG

C O N F I D E N T I A L SECTION 02 OF 02 PARIS 11797

LIMDIS

ONLY THE CAMPAIGN, NOT THE ACTUAL VOTING PROCESS WHICH
IS THE RESPONSIBILITY OF THE CONSTITUTIONAL COUNCIL.
IN PRACTICE, HOWEVER, THE CONTROL COMMISSION'S OBSERVERS
WILL BE PRESENT DURING VOTING. THE PRESENCE OF ALL THESE
OBSERVERS SHOULD HELP TO REDUCE CHARGES OF FRAUD.
FRENCH JURISPRUDENCE ON MATTERS CONCERNING PRESIDENTIAL

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ELECTIONS IS NOT HIGHLY DEVELOPED. (THIS IS ONLY THE THIRD DIRECT ELECTION OF A FRENCH PRESIDENT). HOWEVER, WE ARE TOLD THAT THE DECISIONS TAKEN BY THE CONSTITUTIONAL COUNCIL WOULD APPARENTLY BE BINDING AND FINAL. FOR EXAMPLE THE CONSTITUTIONAL COUNCIL COULD ORDER A RECOUNT IN A GIVEN DISTRICT AND CERTIFY ITS RESULTS. SHOULD IT LATER APPEAR THAT THE RECOUNT HAD BEEN WRONG OR THAT THERE HAD BEEN LARGE-SCALE FRAUD, THE DECISION OF THE CONSTITUTIONAL COUNCIL COULD NEVERTHELESS NOT IN PRACTICE BE CALLED INTO QUESTION. THE CONSTITUTIONAL COUNCIL CAN RECEIVE REQUESTS FOR A RECOUNT IN A GIVEN DIS-
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TRICT FROM A CANDIDATE OR ONE OF HIS REPRESENTATIVES. IT CAN ALSO DECIDE ITSELF TO ORDER A RECOUNT IN A GIVEN DISTRICT OR INDEED NATIONALLY. IT IS NOT REQUIRED TO

A GIVEN DISTRICT (IT DID IN TWO CASES -- BOTH APPARENTLY FOR JUSTIFIABLE REASONS -- IN THE FIRST ROUND.) ONE OF THE REASONS WHY THE CONSTITUTION DOES NOT SPECIFY A TIME BY WHICH THE ELECTORAL RESULTS OF THE SECOND ROUND OF VOTING MUST BE CERTIFIED IS TO PROVIDE THE CONSTITUTIONAL COUNCIL SUFFICIENT OPPORTUNITY TO EXAMINE AND DECIDE ON ALL MATTERS BROUGHT TO ITS ATTENTION.

5. BERNARD DUCAMIN, SECRETARY GENERAL OF THE CONSEIL D'ETAT AND CHIEF ADMINISTRATIVE OFFICER OF THE ELECTORAL CONTROL COMMISSION, HAS TOLD US THAT HE AND THE COMMISSION HAD BEEN BOTH SURPRISED AND PLEASED AT THE SMALL NUMBER OF CHARGES OF MALPRACTICE DURING THE FIRST-ROUND CAMPAIGN AND THE FIRST-ROUND VOTING. DUCAMIN ATTRIBUTED MUCH OF THE FAIRNESS WITH WHICH THIS CAMPAIGN HAS BEEN CONDUCTED TO THE PRESENCE IN THE ELYSEE OF PRESIDENT POHER, DETERMINED TO ASSURE AN ABSOLUTELY FAIR CAMPAIGN. IN PARTICULAR, THE RELATIVE HONESTY OF THE

ELECTIONS IN DTOM HAS BEEN DUE TO THE PRESENCE OF THE OBSERVERS SENT OUT BY POHER. POHER IS REPORTEDLY STILL VERY CONSCIOUS OF SOME DUBIOUS SECOND ROUND RETURNS FROM THE DTOM WHEN HE RAN FOR PRESIDENT AGAINST POMPIDOU IN 1969 (FOR EXAMPLE IN ONE DISTRICT IN DJIBOUTI, POHER GOT SIX VOTES AND POMPIDOU 6,000). DUCAMIN NOTED THAT A CERTAIN AMOUNT OF VOTING IRREGULARITY IS INEVITABLE IN THE DTOM. IN SOME TERRITORIES BALLOTS ARE GIVEN TO TRIBAL CHIEFS FOR DISTRIBUTION. IN ONE CASE, DJIBOUTI, MANY OF THE VOTERS ARE NOMADIC AND ALLOWED TO .VOTE WHEREVER THEY WISH. ALSO IN DJIBOUTI VOTERS NEED NOT HAVE IDENTITY CARDS. ILLITERACY IS HIGH IN THE DTOM. IN THE COMORES, MOREOVER, ARABIC IS THE COMMON LANGUAGE. IN FRENCH GUIANA THERE IS NO ASSURANCE THAT THE INDIANS LIVING IN THE FORESTS EVER RECEIVE THEIR BALLOTS. NEVERTHELESS, DUCAMIN SAID HE THOUGHT THERE WOULD BE LESS

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IRREGULARITY THAN EXPECTED ON THIS ROUND. HE OBSERVED THAT MOST FRENCH COLONIAL OFFICIALS ARE GAULLIST IN THEIR POLITICAL AFFILIATION. DUCAMIN SAID THAT THE DEFEAT OF THEIR CANDIDATE, CHABAN-DELMAS, HAS LEFT THEM

WITH NO PARTICULAR INTEREST IN JEOPARDIZING THEIR CAREERS BY ENGAGING IN LARGE SCALE ELECTION MALPRACTICE IN FAVOR OF EITHER OF THE TWO REMAINING CANDIDATES.

6. ACTING PRESIDENT POHER'S DIRECTEUR DE CABINET HAS TOLD US THAT POHER IS CONCERNED WITH THE POSSIBILITY OF LEFTIST AGITATION IN PARIS IN THE EVENT THAT A SLIM MITTERRAND LEAD IN THE METROPOLE IS TURNED INTO A VICTORY FOR GISCARD AS THE DTOM RETURNS ARRIVE LATE SUNDAY NIGHT AND MONDAY. REPORTEDLY, POHER'S CONCERN RELATES NOT JUST TO THE POSSIBILITY OF FRAUD IN THE DTOM'S IN FAVOR OF GISCARD. HE FEARS THAT EVEN AN HONEST SET OF RETURNS FROM THE DTOM'S THAT GAVE GISCARD A SLIM MAJORITY WOULD RESULT IN DEMONSTRATIONS. WE UNDERSTAND THAT POHER HAS ORDERED INCREASED SECURITY MEASURES FOR PARIS, NOTABLY WITH EXTRA POLICE PATROLS, AND WITH A REINFORCEMENT IN THE NUMBER OF RIOT POLICE SENT TO PARIS.
IRWIN

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